

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 4:17-cr-00573
v.)	
)	
MITCHELL DAVIS, DC,)	
)	
Defendant.)	

DEFENDANT’S UNOPPOSED MOTION TO CONTINUE SENTENCING

COMES NOW Defendant Mitchell Davis (“Dr. Davis”), by and through his attorneys, and submits the following motion to continue sentencing, currently scheduled for 1:30 p.m. on August 23, 2018, to 1:30 p.m. on September 10 or 11, 2018. In support of his motion, Dr. Davis sets forth the following:

1. On August 8, 2018, the Court reset the sentencing in Dr. Davis’s matter from August 23, 2018 to August 28, 2018.
2. Dr. Davis has been working diligently with the government to narrow the issues in dispute at sentencing. However, he still anticipates that testimony from two witnesses will be necessary. One of those witnesses is unavailable on August 28, 2018, due to previously scheduled travel.
3. All anticipated witnesses for Dr. Davis and the government are available on September 10 and 11, 2018.
4. Additional time will also allow Dr. Davis and the government to continue to work to resolve the remaining issues between the parties, which may further streamline the sentencing hearing.

5. Prior to filing the instant motion, the undersigned consulted with counsel for the government, Assistant U.S. Attorney Dorothy McMurtry, who indicated that she does not oppose a continuance to September 10 or 11, 2018. The undersigned also confirmed the Court's availability at 1:30 p.m. on each of those two dates.

WHEREFORE Dr. Davis respectfully requests that the Court order that sentencing in this matter, presently scheduled for August 28, 2018, be rescheduled for September 10 or 11, 2018, at 1:30 p.m., along with such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Richard E. Finneran
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 16, 2018, the foregoing document was filed electronically via the Court's electronic filing system and served upon all counsel of record by means of the Court's Notice of Electronic Filing pursuant to Local Rule 5 - 2.12.

/s/ Richard Finneran

RICHARD E. FINNERAN, #60768MO